

DEBORAH T. PORITZ  
ATTORNEY GENERAL OF NEW JERSEY

FILED WITH THE BOARD OF  
VETERINARY MEDICAL EXAMINERS  
ON May 12, 1994

By: Brenda Talbot Lewis  
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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF VETERINARY MEDICAL EXAMINERS  
DOCKET NO.

IN THE MATTER OF THE SUSPENSION  
OR REVOCATION OF THE LICENSE OF

**MARCY L. ROSE, D.V.M.**

TO PRACTICE VETERINARY MEDICINE  
IN THE STATE OF NEW JERSEY

Administrative Action

**CONSENT ORDER**

This matter was opened to the New Jersey State Board of Veterinary Medical Examiners on or about May 26, 1993, upon receipt of a complaint filed by Ms. Debbie Bouchard concerning the treatment and death of her horse "Quincy" while under the care of Marcy L. Rose, D.V.M. on May 18, 1993. Dr. Rose appeared before the Board for an investigative inquiry on September 29,

1993, accompanied by counsel Scott Lewis, Esq., of Falciani & Fletcher, and testified under oath.

After reviewing Dr. Rose's testimony and the documentary evidence, the Board determined that probably cause existed for the filing of a formal administrative complaint for the suspension or revocation of the license of Dr. Rose to practice veterinary medicine in New Jersey. Such a complaint would have alleged repeated acts of negligence, including the following;

1. Failure to perform a responsible and valid pre-surgical physical examination;
2. Failure to take/maintain records of anesthesia and/or surgical procedures;
3. Use of questionable anesthetic protocol;
4. Failure to properly monitor anesthesia; and
5. Failure to maintain minimal equipment and medication necessary for resuscitation.

Dr. Rose being desirous of settling this matter without the necessity for further action, and the Board finding that the entry of this Order is adequately protective of the public interest,

IT Is, on this 12 <sup>(Max)</sup>~~26~~ day of May, 1994,

ORDERED that Marcy L. Rose, D.V.M., be and hereby is reprimanded, and it is further

ORDERED that Dr. Rose shall pay to the Board a civil

penalty in the amount of \$2,500.00, shall reimburse the Board for its investigative costs in the amount of \$183.27, and shall reimburse Ms. Debbie Bouchard in the amount of \$930.40, said reimbursement to be forwarded to the Board within 30 days of the signing of this Order and the penalty and costs to be paid to the Board in five equal payments, the first payment due 60 days after the signing of this Order.

BOARD OF VETERINARY MEDICAL  
EXAMINERS

BY David A. Meirs, V.M.D. VMD  
David A. Meirs, V.M.D.,  
President

I have read and understood the within Order and agree to be bound by the terms therein. Consent is hereby given for the entry of this Order.

Marcy L. Rose, D.V.M.  
Marcy L. Rose, D.V.M.

Scott J. Lewis, Esq.  
Scott J. Lewis, Esq.  
Attorney for Dr. Rose

I CERTIFY THAT THIS IS A  
TRUE AND CORRECT COPY.

Marianne C. Kehoe  
Marianne C. Kehoe  
Executive Director